IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.69 OF 1991

Arun Ganpat Walke &
6 Ors. ..Petitioner.

Vs.

Maharashtra State
Electricity Board
& 2 Ors. ..Respondents.

Mr.S.M.Dharap, Advocate for the Petitioner.

Mr.C.J.Sawant, Sr.Counsel with Mr. P.P. Chawan i/b.M/s.Little & Company for the Respondents.

CORAM: S.RADHAKRISHNAN AND S.J.VAZIFDAR, JJ.

DATED: 21ST SEPTEMBER, 2004

P.C. :

After hearing the parties for some time, it transpires that the issue involved in this Petition is "Whether the direction to the Petitioners to work on Saturdays will amount to a change of conditions of service under Schedule IV of the Industrial Disputes Act ?"

2. Apparently, this issue can be resolved only before an appropriate forum by leading evidence and not by way of a Writ Petition under Article 226 of

the Constitution of India.

3. Under the aforesaid facts and circumstances even the learned counsel appearing on behalf of the Respondents Mr.Sawant fairly stated that the Respondents will not raise any objection with regard to delay, in the event the Petitioners approach an appropriate forum for redressal of their grievance, within a period of eight weeks from today.

4. In the event the Petitioners move the appropriate forum for the aforesaid relief, the said forum shall dispose of the same as expeditiously as possible preferably within a period of six months from the date of filing of the same.

5. It is also made clear that all the contentions raised by both the parties are expressly kept open.

6. Writ Petition stands disposed of in terms of the above.

7. Certified copy expedited.

(S.Radhakrishnan, J.)

(S.J. Vazifdar, J.)